

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

March 29, 2004

IN RE:

**PETITION OF ENTERGY ARKANSAS, INC.
FOR APPROVAL OF REVISIONS TO
CHARGES RELATED TO CUSTOMER
ACTIVITY RATE SCHEDULE NO. 29**

**DOCKET NO.
03-00578**

ORDER APPROVING REVISIONS TO RATE SCHEDULE NO. 29

This matter came before Director Pat Miller, Director Sara Kyle, and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at the regularly scheduled Authority Conference held on January 5, 2004 for consideration of the petition (the "*Petition*") filed by Entergy Arkansas, Inc. ("Entergy" or "EAI") for approval of EAI's tariff and specifically to revisions to charges related to Customer Activity Rate Schedule No. 29.

Entergy's *Petition* is contained in a letter received by the Authority's Energy and Water Division on October 16, 2003 and filed on October 31, 2003 in which Entergy states that the proposed revisions to Customer Activity Rate Schedule No. 29 "are intended to allow EAI to recover the costs that are caused by the Company's response to the requests for services to its customers."¹ The letter attached copies of EAI's filings with the Arkansas Public Service Commission ("APSC") requesting identical revisions to Rate Schedule No. 29 and a copy of the

¹ *Petition*, p. 3 (October 31, 2003). Letter from Will Morgan, Manager, Arkansas Regulatory Affairs, Entergy Arkansas, Inc. to Hal Novak, Chief, Energy and Water Division, Tennessee Regulatory Authority, p 1 (October 15, 2003)

APSC's order approving the revisions. The proposed changes to Rate Schedule No. 29 will result in revisions to the Trip and Reconnection Fees and the addition of fees for DataLink Service.²

On November 7, 2003 the Staff of the Energy and Water Division filed a data request in the form of a letter ("*Data Request*") which asked EAI to provide the number of Tennessee customers that were charged the fees listed in Entergy's petition and the total amount received from those fees during the past three calendar years. The *Data Request* also asked EAI to state the amount of increased fees EAI expected to receive annually from Tennessee customers.³

EAI responded to the *Data Request* with a letter ("*Data Response*") filed on November 25, 2003. EAI stated in its *Data Response* that no fees listed in the *Petition* were paid by any of EAI's Tennessee customers during the three years which preceded the filing of the *Petition*.⁴ EAI also stated in its *Data Response* that "based on EAI's Tennessee customers' history of no fees paid during the past three years, EAI expects that these customers will continue to be minimally impacted by these fee adjustments."⁵

Findings

Entergy has stated that no Tennessee customers have been subject to the fees which the *Petition* requests to revise within the past three years. Further, Entergy has stated that it does not expect that any Tennessee customers will require any of the services which would be affected by the revisions requested in the *Petition*.

² *Petition*, pp 3-4 (October 31, 2003) Letter from Will Morgan, Manager, Arkansas Regulatory Affairs, Entergy Arkansas, Inc. to Hal Novak, Chief, Energy and Water Division, Tennessee Regulatory Authority, pp.1-2 (October 15, 2003)

³ *Data Request*, p 1 (November 7, 2003) Letter from Butch Phillips, Utility Rate Specialist III, Energy and Water Division, Tennessee Regulatory Authority (November 6, 2003)

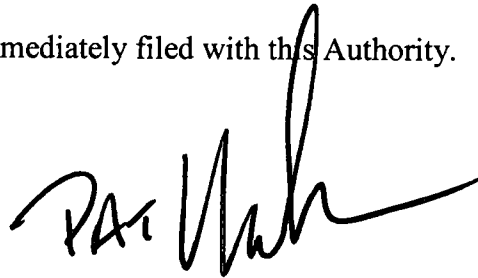
⁴ *Data Response*, p 1 (November 25, 2003) Letter from William R Morgan, Manager, Arkansas Regulatory Affairs, Entergy Arkansas, Inc., p. 1 (November 24, 2003)

⁵ *Id*

After consideration and review of Entergy's *Petition* and other pertinent portions of the record, the Directors of the voting panel assigned to this docket voted unanimously to approve Entergy's *Petition*.

IT IS THEREFORE ORDERED THAT

1. The *Petition* revising Customer Rate Activity Schedule No. 29 is approved.
2. Any further revisions to Customer Rate Activity Schedule No. 29 filed with the Arkansas Public Service Commission shall be immediately filed with this Authority.



Pat Miller, Director



Sara Kyle, Director



Ron Jones, Director